

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: MAY 16, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-20602 - APPLICANT/OWNER: LIVING WATERS  
BAPTIST CHURCH**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-19484) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

**Public Works**

3. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Las Vegas Trail Phase 1 Owens to Stewart" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
4. Dedicate 40 feet of right-of-way adjacent to this site for Sandhill Road and the area adjacent to this site necessary for the "Las Vegas Wash Trail" prior to the issuance of any permits for this site; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
5. Construct half-street improvements and a temporary termination (i.e. barriers) acceptable to the City Traffic Engineer, on Sandhill Road adjacent to this site, concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is for a Rezoning from R-E (Residence Estates) to R-2 Medium-Low Density Residential) on the east side of Sandhill Road north of Washington Avenue. A related a Special Use Permit (SUP-19483) for a Church/House of Worship Site Development Plan Review (SDR-19484) for a 10,327 square foot church and a waiver to allow no landscaping along a portion of the north property line where a minimum eight foot wide buffer is required and will be considered concurrently.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
08/21/02	The City Council approved a Special Use Permit (U-75-02) for a Church/House of Worship on the subject site.
04/12/07	The Planning Commission will consider concurrently related applications Special Use Permit (SUP-19483) for a Church/House of Worship and Site Development Plan Review (SDR-19484) for a 10,327 square foot church and a waiver to allow no landscaping along a portion of the north property line where a minimum eight foot wide buffer is required.
04/12/07	<p>The Planning Commission recommended approval of companion items SUP-19483 and SDR-19484 concurrently with this application.</p> <p>The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #70/r1).</p>
<i>Pre-Application Meeting</i>	
12/01/06	A pre-application meeting was held to discuss the requirements for a Site Development Plan Review and a Special Use Permit associated with a proposed Church/House of Worship.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.88

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Open Space, Undeveloped	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Residential – Compact Lot)
East	Open Space, Undeveloped	L (Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-E (Residence Estates)
West	Open Space, Single Family Residential	ML (Medium Low Density Residential), PF (Public Facility)	U (Undeveloped) and R-1 (Single Family Residential)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	NA
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	NA
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

## DEVELOPMENT STANDARDS

### *Pursuant to Title 19.08*

<b><i>Standard</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Min. Lot Size	20,000 SF	123,398 SF	Y
Min. Lot Width	100 Feet	130 Feet	Y
Min. Setbacks			
• Front	30 Feet	96 Feet	Y
• Side	15 Feet	50 Feet	Y
• Rear	20 Feet	100 Feet	Y
Max. Lot Coverage	NA	4%	Y
Max. Building Height	35 Feet	22 Feet	Y
Trash Enclosure	Screened, 50 Feet from Residential	Not Shown	NA
Mech. Equipment	Screened	Screened	Y

***Pursuant to Title 19.08.060***

<b><i>Residential Adjacency Standards</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
3:1 proximity slope	66 Feet	75 Feet	Y
Adjacent development matching setback	10 Feet	75 Feet	Y
Trash Enclosure	50 Feet	Not Shown	NA

***Pursuant to Title 19.10 and 19.12***

<b><i>Landscaping and Open Space Standards</i></b>				
<b><i>Standards</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>	<b><i>Compliance</i></b>
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>		
Parking Area	1 Tree/6 Spaces	15 Trees	15 Trees	N*
Buffer:				
Min. Trees				
Along Sandhill	1 Tree/20 Linear Feet	7 Trees	7 Trees	Y
Along South	1 Tree/20 Linear Feet	29 Trees	24 Trees	N**
Along Wash	1 Tree/20 Linear Feet	33 Trees	3 Trees	N***
<b>TOTAL</b>		84 Trees	49 Trees	N***
Min. Zone Width				
• Along Sandhill	15 Feet		15 Feet	Y
• Interior Lines	8 Feet		8 Feet	Y
• Along Wash	8 Feet		0 Feet	N***

\* While a sufficient number of trees are shown for the parking area, an additional six parking lot landscape fingers shall be included in the technical landscape plan in order to maintain a ratio of one finger per six spaces in areas without landscape islands, pursuant to Title 19.10.010 (H) (10).

\*\* An additional five 24-inch box trees will be included in the south perimeter landscape buffer on the technical landscape plan as a condition of approval for a total of 29 trees spaced 20 feet on center.

\*\*\* Subject of requested Waiver, below.

***Pursuant to Title 19.10, the following parking standards apply:***

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Fixed Seating	200 Seats	1/4 Seats	50				
Banquet Hall	1,000 SF	1/100 SF	10				
Subtotal			57	3	78	8*	
TOTAL (including handicap)			60		86		Y

- \* Per condition of approval, handicapped accessible parking spaces must be have an adjacent side access aisle on each side, pursuant to Title 19.10.010 (G).

Waivers		
Request	Requirement	Staff Recommendation
No landscape buffer along wash to accommodate drainage easement.	8 Foot wide buffer with one tree every 20 linear feet	Approval

## ANALYSIS

The subject property is currently zoned R-E (Residence Estates), which is not a permitted zoning district within the existing ML (Medium Low Density) General Plan Land Use Designation. The R-E zoning district is intended to provide low-density residential units located on large lots at a maximum density of 2.18 units per acre, which suggests the atmosphere of a rural environment. On the subject site, a residential development in this zone would be limited to six units on the subject site. Thus, the R-E District provides for a much lower density than the Medium-Low Density Residential category that is the General Plan Land Use designation that is intended to provide up to 8.49 units per acre, or 24 units on the subject site.

In order to bring the zoning into conformance with the General Plan designation, the applicant has submitted this request for Rezoning to R-2 (Medium-Low Density Residential). The purpose of the R-2 District is to establish lots primarily for medium to low density single-family detached units and duplex units. The R-2 District is consistent with the policies of the Medium-Low Density and Medium-Low Attached Residential categories of the General Plan. The proposed use as a Church/House of Worship is permitted in the proposed R-2 zone with the approval of a Special Use Permit. A concurrent application (SUP-19483) is intended to satisfy the Special Use Permit requirement.

## FINDINGS

### 1. “The proposal conforms to the General Plan.”

The proposed R-2 (Medium-Low Density Residential) zone is compatible with the existing ML (Medium-Low Density Residential) Land Use designation. This rezoning brings a non-conforming R-E (Residence Estates) zoning district into compliance with the General Plan.

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The uses allowed by the R-2 (Medium-Low Density Residential) zone are consistent and compatible with the surrounding development as well as the R-CL (Residential – Compact Lot) zoning to the south and the R-1 (Single Family Residential) zoning to the west.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

The proposed R-2 (Medium-Low Density Residential) zone will allow the proposed Church/House of Worship use with a Special Use Permit. While this use is similarly permitted in the existing R-E (Residence Estates) zone, that zone is not compatible with the existing ML (Medium-Low Density Residential) Land Use designation nor with the surrounding development. Both the proposed Rezoning and Special Use Permit are appropriate as indicated by the growth and development factors in the community.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The capacity of Sandhill Road, an 80-foot Secondary Connector, with the required 40-foot right-of-way dedication and construction of both half-street improvements and temporary termination, is adequate to meet the requirements of the proposed church use.

### **PLANNING COMMISSION ACTION**

There was one speaker with questions at the Planning Commission Meeting.

### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

1

**ASSEMBLY DISTRICT** 28

**SENATE DISTRICT** 2

**NOTICES MAILED** 475 by Planning Department

**APPROVALS** 0

**PROTESTS** 0